

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 10-489 (DSD/RLE)

Derek D. Villars,

Plaintiff,

v.

ORDER

Chase Home Finance, LLC,
Mortgage Electronic Registration
Systems, MERS and Metcalf Bank,

Defendants.

Derek D. Villars, 6395 Sugar Mill Lane, Mound, MN
55364, pro se.

This matter is before the court upon pro se plaintiff Derek D. Villars's ("Villars") motion to dismiss this action. Where, as here, the defendants have neither served answers nor moved for summary judgment, a plaintiff may dismiss the action without leave of the court. See Fed. R. Civ. P. 41(a)(1)(A)(i). Therefore, the court construes Villars's motion as a dismissal under Rule 41(a)(1)(A)(i). Accordingly, **IT IS HEREBY ORDERED** that Villars's motion [Doc. No. 3] is denied as moot and this matter is dismissed without prejudice.

Dated: June 21, 2010

s/David S. Doty
David S. Doty, Judge
United States District Court